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OFFICE OF PETITIONS

In re Application of :
Medhat Osman :
Application No. 10/042,737 : DECISION ON PETITION
Deposited: August 29, 2002 :
Re: Square Ultra Thrust Reverser :

This is a decision on the "PETITION TO ACCORD A FILING DATE" filed February 17, 2005. Petitioner requests that the above-identified application be accorded a filing date of August 29, 2002.

On August 29, 2002, applicant filed a petition requesting that the papers submitted therewith either be accorded a filing date of March 27, 2001 or August 29, 2002. By decision mailed March 4, 2003, the above-identified application was accorded a filing date of August 29, 2002 and forwarded to the Office of Initial Patent Examination for processing. The decision noted that the application included: a "Revised Claim Set for Non-Provisional Patent Application," listing 36 claims (4 pages); a copy of Provisional Application No. 60/192,337, in a format similar to an issued patent, including 14 sheets of drawings Figs. 1-32 in non-sequential order; a copy of the filing receipt for the provisional application (2 pages); a copy of a Notice to File Missing Parts of Provisional Application mailed May 26, 2000 (1 page); a paper entitled Patent Disclosure dated March 12, 2000 (3 pages); and a Statement Claiming Small Entity Status (1 page).

On October 4, 2004, the Office mailed a NOTICE TO FILE MISSING PARTS OF APPLICATION, advising applicant that the application had been accorded a filing date of August 29, 2002; however, the statutory basic filing fee and an oath or declaration were

missing. In addition, a substitute specification and an abstract were required. On January 4, 2005, applicant responded with the missing items.

However, on January 24, 2005, the Office mailed a NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION, advising applicant that the application had not been accorded a filing date because the application was deposited without drawings. In response, applicant filed the instant petition, citing the aforementioned application history.

It is clear from the record of this case that the application as filed on August 29, 2002 is entitled to a filing date of August 29, 2002. The record further reveals that the substitute specification filed January 4, 2005, did not include drawings.

The petition is **GRANTED**.

Given the basis for granting this petition, the petition fee of \$400 (\$130 received by check and \$270 charged to Deposit Account) has been refunded to Deposit Account No. 50-1753, as authorized.

The Office of Initial Patent Examination (OIPE) has been advised of this decision. The application has thereby been forwarded to OIPE for correction of the filing date to August 29, 2002, using the application papers received in the Office on that date, and the 14 sheets of drawings Figs. 1-32 shown in the copy of provisional application No. 60/192,337 re-supplied on petition filed February 17, 2005; and indication in Office records that 14 sheets of drawings were present on filing.

Applicant will receive appropriate notifications and other information in due course from OIPE.

Receipt of the change of correspondence address filed February 11, 2005, is acknowledged and made of record.

Telephone inquiries regarding this matter should be directed to the undersigned at (571) 272-3219.



Nancy Johnson
Senior Petitions Attorney
Office of Petitions